



ITEM FOR ENVIRONMENTAL BOARD AGENDA

BOARD MEETING

DATE REQUESTED: May 6, 2015

NAME & NUMBER OF PROJECT: 3337 Far View Drive
SP-2014-0135D

NAME OF APPLICANT OR ORGANIZATION: Aupperle Company
Bruce S. Aupperle, P.E., (512) 329-8241

LOCATION: 3337 Far View Drive

PROJECT FILING DATE: April 14, 2014

WPD/ERM STAFF: Sylvia Pope, (512) 974-3429
sylvia.pope@austintexas.gov

PDRD/ENVIRONMENTAL STAFF: Pamela Abee-Taulli, (512) 974-1879
pamela.taulli@austintexas.gov

PDRD/ CASE MANAGER: Christine Barton-Holmes, (512) 974- 2788
Christine.Barton-Holmes @austintexas.gov

WATERSHED: Lake Austin (Water Supply Suburban),
Drinking Water Protection Zone

ORDINANCE: Watershed Protection Ordinance (Current Code)

REQUEST: To modify the standard 150-foot width Critical Environmental Feature buffer in order to allow construction of a tram 10 feet wide and 420 feet long that spans 2 canyon rimrocks and a seep within a Critical Environmental Feature (rimrock and seep) buffer corridor, 25-8-281(C)(2)(b).

STAFF RECOMMENDATION: Recommended, with the following conditions:

1. Per the recommendations of the geotechnical engineer, (MLAW Forensics, Inc.), footing holes should not be drilled into the limestone rock if an obvious fracture exists running through the proposed drill location; and

2. A footing-separation distance of 1 foot above and 2 feet below the canyon rimrock CEF will be observed.

REASONS FOR RECOMMENDATION: The findings of fact have been met.



MEMORANDUM

TO: Dr. Mary Gay Maxwell, Chairperson
Members of the Environmental Board

FROM: Pamela Abee-Tauli, Environmental Review
Development Services Department

DATE: April 15, 2014

SUBJECT: 3337 Far View Drive (SP-2014-0135D) 3337 Far View Drive

Variance Request: Variance from LDC 25-8-281(C)(2)(b) Construction within a Critical Environmental Buffer Zone.

Owner of residence is seeking a variance to modify the standard 150-foot width Critical Environmental Feature buffer in order to allow construction within a Critical Environmental Feature (rimrock and seep) buffer of a tram corridor 10 feet wide and 420 feet long that spans 2 canyon rimrocks and a seep, 25-8-281(C)(2)(b).

Description of Property

The project site is located partially within in the Edwards Aquifer Zone Buffer, within the Lake Austin Watershed, and within the city limits of the City of Austin. Surface drainage is south down steep slopes toward Lake Austin (Colorado River). Surface elevations on the tract range from approximately 493 feet at the shoreline to approximately 800 feet near Far View Drive, with an average percent slope or gradient of approximately 50%.

The project is located on Lot 1 of the river Point Subdivision, a single-family lot, situated approximately 5 miles south of the intersection of FM 2222 and City Park Road. The principal residence associated with this residential dock will be at 3337 Far View Drive.

Existing Topography/Soil Characteristics/Vegetation

The project site is located on slopes with a gradient more than 15 percent, is within a critical water quality zone, and is located within the 100-year flood plain of Lake Austin. It is not located over a karst aquifer or within an area draining to a karst aquifer or reservoir.

The underlying lithology consists of the Cretaceous Glen Rose Limestone.

The majority of the tract is undeveloped and dominated by dense Ashe juniper (*Juniperus ashei*).

Critical Environmental Features/Endangered Species

Staff has verified that there are two CEFs consisting of two segments of canyon rimrock that extend across the tract at approximately the 700-foot contour, and the 590-foot contour. The estimated gradient is 83% along the upper rimrock and 133% along the lower. A seep at the base of the rimrock outcrop was identified by staff.

The site is located within the endangered species area, specifically, it is located within Golden Cheeked Warbler habitat.

Water/Wastewater

There are no water and wastewater improvements proposed with this project.

Variance Requests

The variances being requested by this project are as follows:

Variance from LDC 25-8-281(C)(2)(b) Construction within a Critical Environmental Buffer Zone.

Proposing modification of the standard 150-foot width Critical Environmental Feature buffer in order to allow construction within a Critical Environmental Feature (rimrock and seep) buffer of a tram corridor 10 feet wide and 420 feet long that spans 2 canyon rimrocks and a seep, 25-8-281(C)(2)(b).

Similar Cases

The following projects had similar issues and were recommended by the Environmental Board and approved by the Planning Commission:

- 2908 Scenic Drive Tram (SP-2013-0295DS)
 - Construction of tram within 150 feet of rimrock
 - Planning Commission approval: December 19, 2014
- 5 Humboldt Lane (SP-2013-0133D)
 - Trail, stairs, and boat dock in CEF buffer.
 - Planning Commission approval: February 25, 2014

Conditions

Staff recommends granting the variance with the following conditions:

1. Per the recommendations of the geotechnical engineer, (MLAW Forensics, Inc.), footing holes should not be drilled into the limestone rock if an obvious fracture exists running through the proposed drill location; and
2. A footing-separation distance of 1 foot above and 2 feet below the canyon rimrock CEF will be observed.

If you have any questions or need additional information, please feel free to contact Pamela Abee-Taulli at 512-974-1897.

Recommendations

Staff recommends approval of the variance request because the findings of fact have been met.



**Development Services Department
Staff Recommendations Concerning Required Findings
Critical Environmental Feature Buffer**

Application Name: 3337 Far View Drive
Application Case No: SP-2014-0135D
Code Reference: Land Development Code Section 25-8-281(C)(2)(b) Construction in a Critical Environmental Feature Buffer
Variance Request: To modify the standard 150-foot width Critical Environmental Feature buffer in order to allow construction of a tram 10 feet wide and 420 feet long that spans 2 canyon rimrocks and a seep within a Critical Environmental Feature (rimrock and seep) buffer corridor.

A. Land Use Commission variance determinations from Chapter 25-8, Subchapter A – Water Quality of the City Code:

1. The requirement will deprive the applicant of a privilege or the safety of property given to owners of other similarly situated property with approximately contemporaneous development.

Yes. There are similarly situated properties on Lake Austin that have received a similar variance to construct a shoreline access within a Critical Environmental Feature buffer for a canyon rimrock.

2. The variance:

- a) Is not based on a condition caused by the method chosen by the applicant to develop the property, unless the development method provides greater overall environmental protection than is achievable without the variance;

Yes. The applicant will construct the shoreline access tram and restore and revegetate the disturbed area within the canyon rimrock Critical Environmental Feature (CEF) buffer, and therefore minimize disturbance of the CEF buffer.

- b) Is the minimum change necessary to avoid the deprivation of a privilege given to other property owners and to allow a reasonable use of the property;

Yes. There are other trams traversing the steep slope and limestone outcrop that is canyon rimrock on this steep shoreline of Lake Austin. The steep slope and ledges make it difficult to construct stairs or other types of shoreline access. The tram will be the only shoreline access for this lakefront property.

- c) Does not create a significant probability of harmful environmental consequences; and

Yes. The proposed construction of a tram does not create a significant probability of harmful environmental consequences. Tram posts will be installed no closer than 1 foot downslope and 2 feet upslope of the canyon rimrock. The client's engineer's report states that the tram installation will not cause splitting or damage to the Glen Rose limestone or the canyon rimrock.

3. Development with the variance will result in water quality that is at least equal to the water quality achievable without the variance.

Yes. No structural water quality controls are required for single family residential construction; erosion and sedimentation controls will be used and the limits of construction will be revegetated where there is soil and a moderate slope. The resulting water quality will be the same as achievable without the variance.

Environmental Reviewer

Pamela Abee-Taulli

Environmental Program Coordinator

Sue Barnett

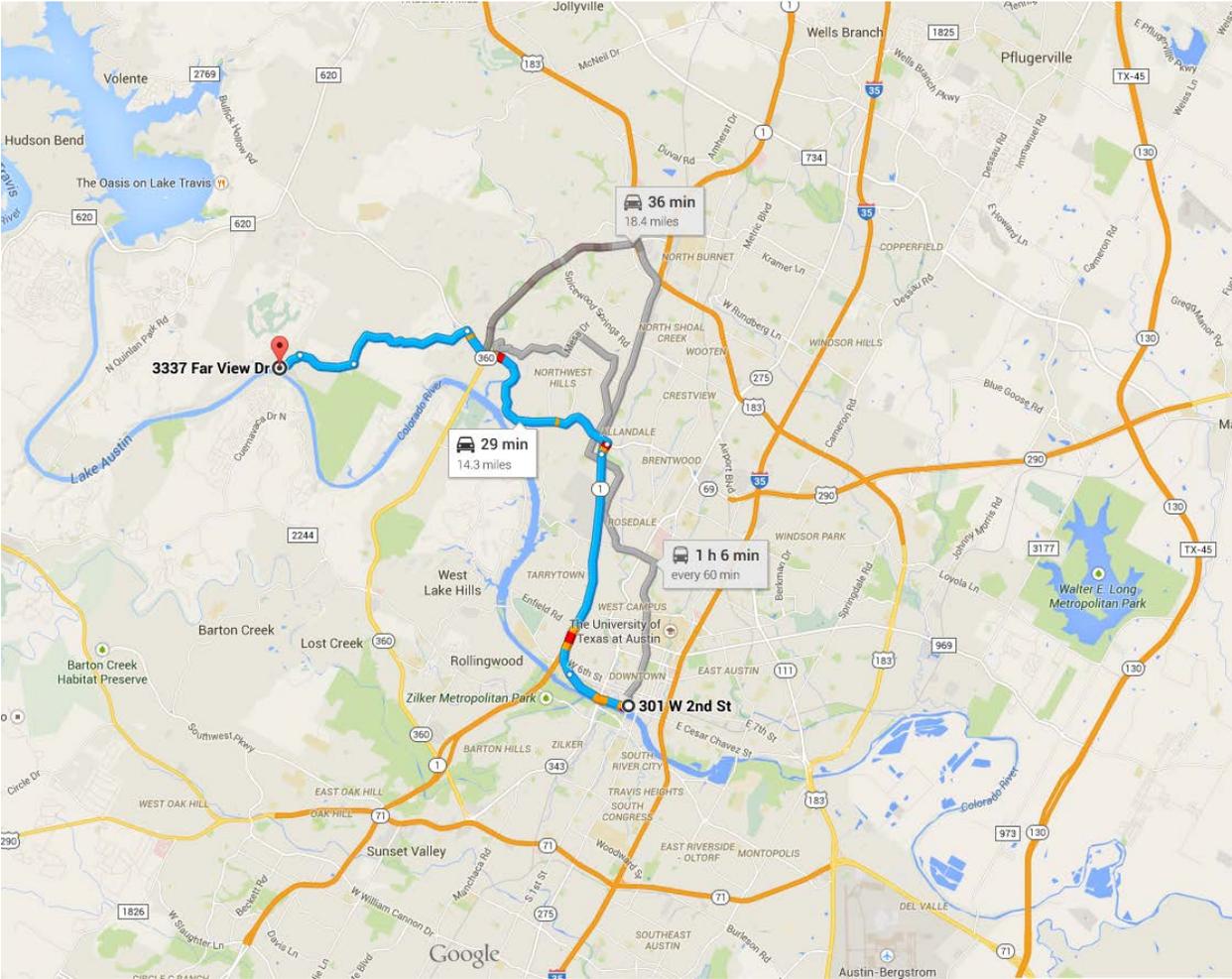
Environmental Officer

Chuck Lesniak

Staff may recommend approval of a variance after answering all applicable determinations in the affirmative (YES).

LOCATION MAP

Driving directions to 3337 Far View Dr.





Drive 14.1 miles, 32 min

Directions from 301 W 2nd St to 3337 Far View Dr

o 301 W 2nd St

Austin, TX 78701

↑ Head west on W 2nd St/Live Oak St/W Willie Nelson Blvd toward Guadalupe St
217 ft / 31 s

Take W Cesar Chavez St, Exposition Blvd, Mt Bonnell Rd and Ranch to Market 2222 W to City Park Rd
9.9 mi / 23 min

↶ 2. Turn left onto Guadalupe St
358 ft

↷ 3. Turn right onto W Cesar Chavez St/Water Ave
Continue to follow W Cesar Chavez St
1.2 mi

↷ 4. Keep right at the fork, follow signs for TX-1 Loop N
0.6 mi

↷ 5. Keep right at the fork, follow signs for Enfield Road and merge onto Newfield Ln
0.3 mi

↶ 6. Slight left to stay on Newfield Ln
135 ft

↶ 7. Turn left onto Enfield Rd
0.6 mi

↷ 8. Turn right onto Exposition Blvd
1.5 mi

↶ 9. Turn left onto W 35th St
0.5 mi

↶ 10. Slight left onto Old Bull Creek Rd
0.2 mi

↷ 11. Turn right onto Mt Bonnell Rd
2.3 mi

 12. Turn left onto Ranch to Market 2222 W 2.5 mi

Continue on **City Park Rd**. Drive to **Far View Dr** 4.2 mi / 8 min

 13. Turn left onto City Park Rd 2.7 mi

 14. Turn right onto Glenlake Dr 1.1 mi

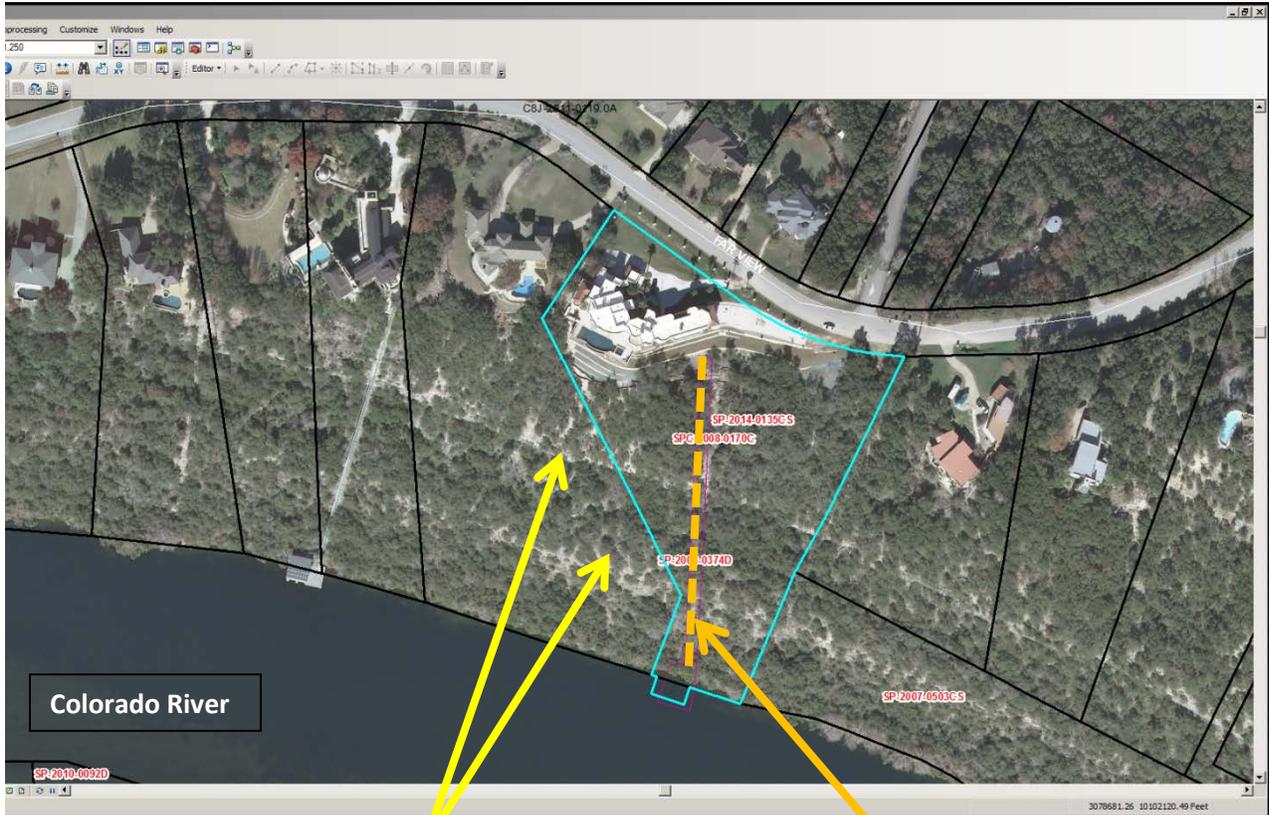
 15. Turn left onto Far View Dr 0.4 mi
 Destination will be on the left

 **3337 Far View Dr**
Austin, TX 78730

These directions are for planning purposes only. You may find that construction projects, traffic, weather, or other events may cause conditions to differ from the map results, and you should plan your route accordingly. You must obey all signs or notices regarding your route.

GIS

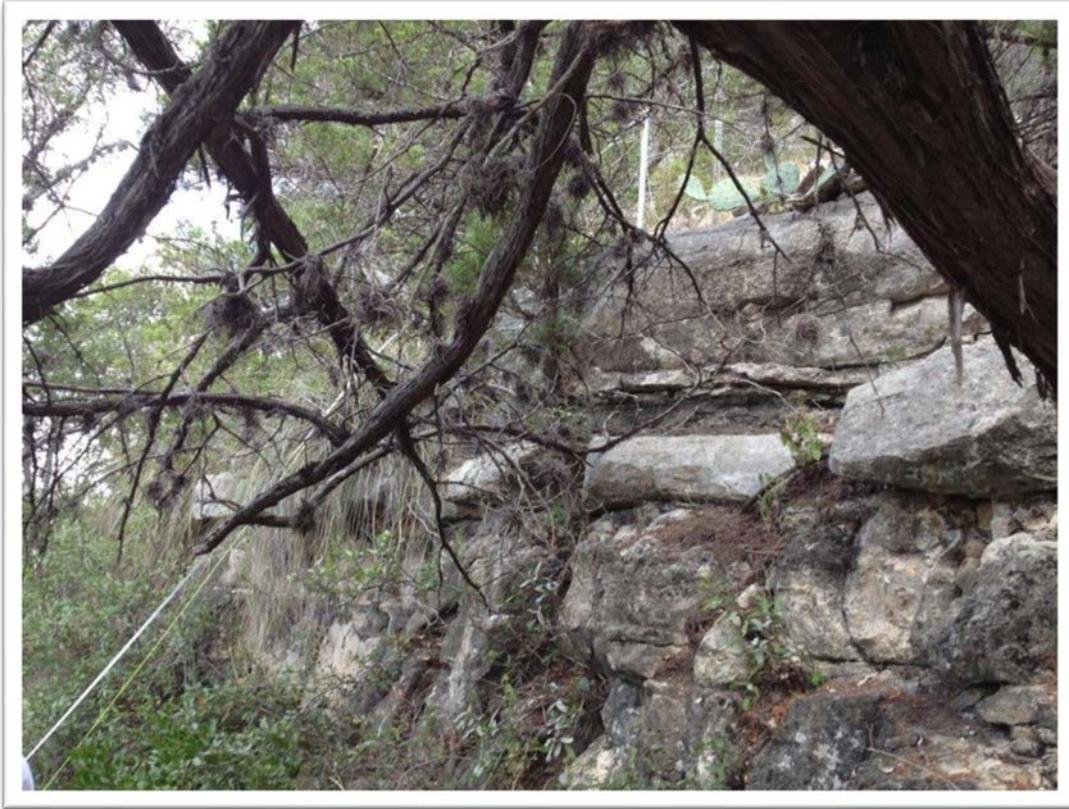
3337 Far View Dr. (SP-2014-0135D)

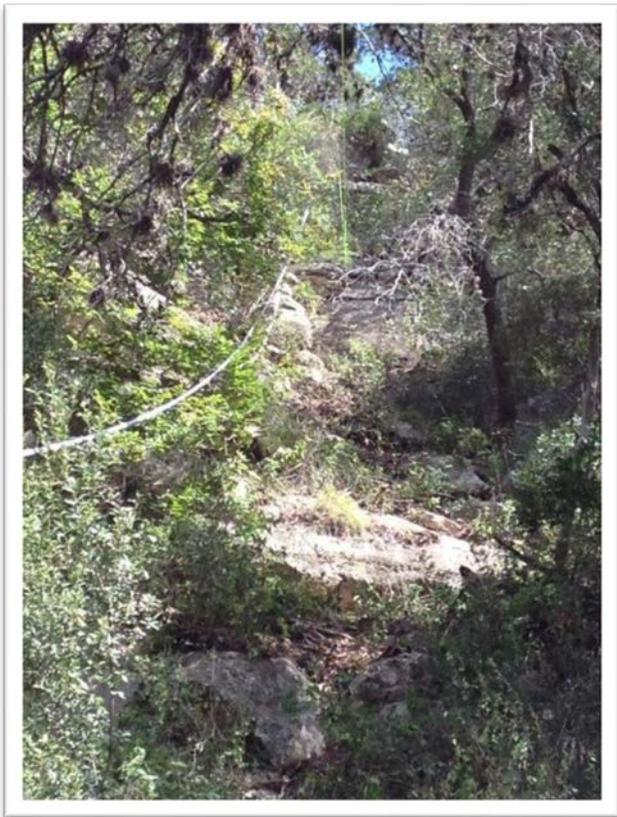


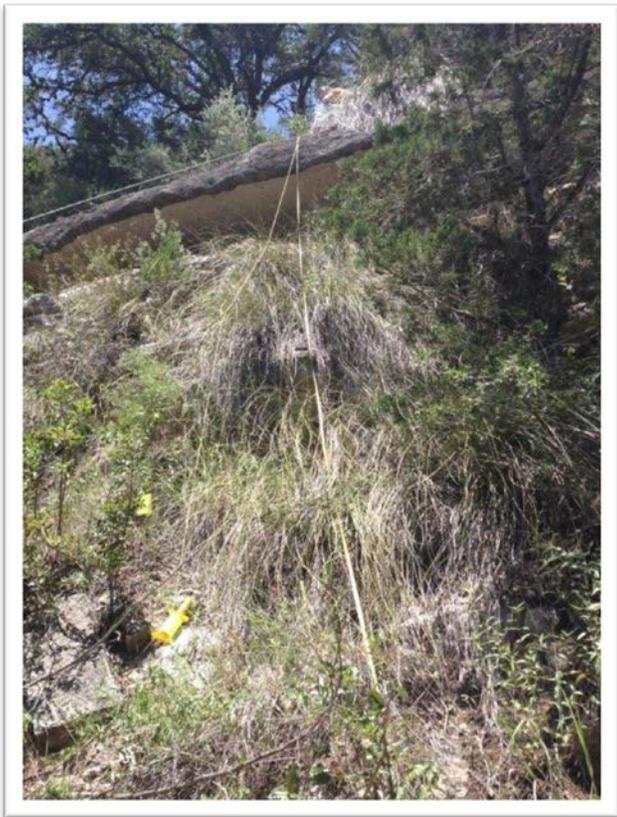
Canyon Rimrock CEFs

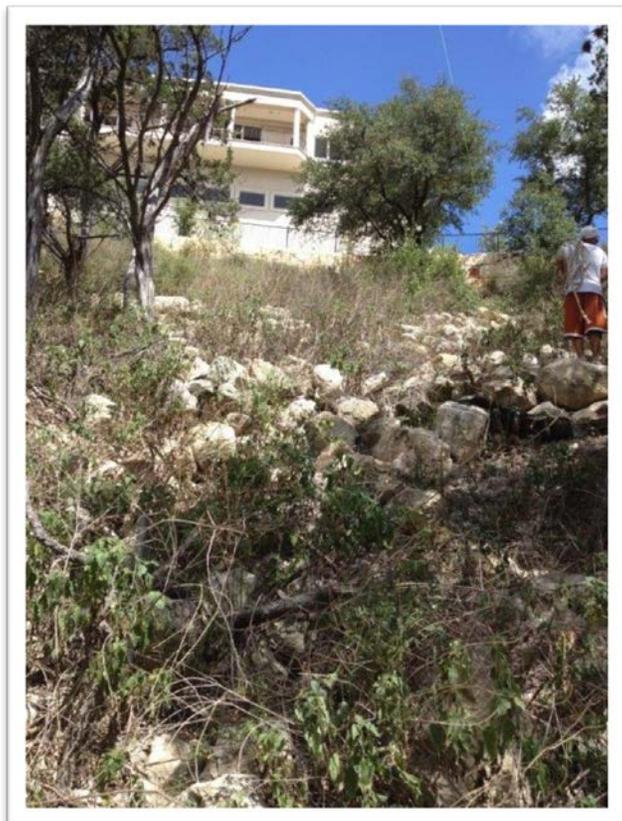
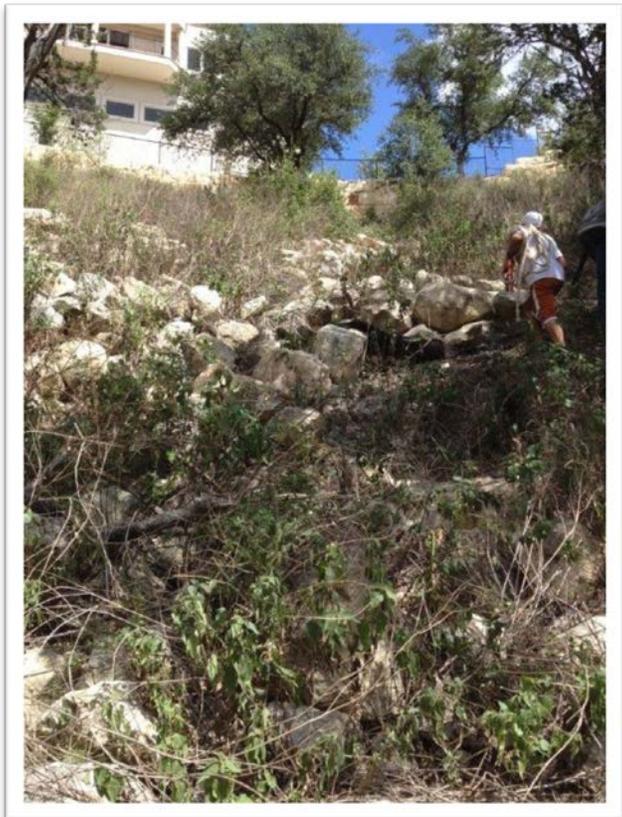
Proposed Tram Route

Staff Site Photos
3337 Far View Drive











Aupperle Company

10088 Circleview Drive, Austin, Texas 78733
Phone & Fax (512) 329-8241
Email: Aupperle@att.net

March 31, 2015

Director of Planning and Development Review
City of Austin
P.O. Box 1088
Austin, Texas 78767

Re: 3337 Far View Drive
Revised Request for Variance to LDC Section 25-8-281(C)(2)(b)
Construction within a Critical Environmental Features Buffer Zone

Director:

The proposed construction includes a two-slip boat dock, necessary access and appurtenances at the referenced address. No bulkhead construction is proposed. The site contains four critical environmental features as defined by the current Land Development Code, three rim rocks and a seep. The rim rocks and seep are located on land. The proposed boat dock and tram, i.e. necessary access, are located within 150 feet of the critical environmental features. The strict adherence of 150-foot buffer zone for the critical environmental features would prohibit most construction on this tract and all construction along the shoreline.

Please note that this subdivision, River Pointe, was not platted under the current land development code. This lot in River Pointe was platted under the Lake Austin Watershed Ordinance, which did not require setbacks or buffers for critical environmental features at the time of platting.

This letter is provided to you in support of a variance to allow construction within the critical environmental feature buffer zone. For the referenced project we submit the following support arguments in the format associated with Appendix U of the City of Austin Environmental Criteria Manual.

1. Are there special circumstances applicable to the property involved where strict application deprives such property owner of privileges or safety enjoyed by other similarly situated property with similarly timed development?
YES/~~NO~~

This application is requesting to construct a safe method of shoreline access and a dock within a CEF setback. The proposed construction is over very steep slopes to gain access to the Lake Austin shoreline and a dock thereon. There are currently many docks and shoreline accesses that traverse CEF setback areas as defined by Code that were either grandfathered or were granted this variance administratively. Without adequate and safe shoreline access the property owners would not have the enjoyment of their lot's shoreline area or a dock facility. The proposed shoreline access construction is necessary and is an appurtenances to the dock and the shoreline area and as is permitted in the CWQZ.

2. Does the project demonstrate minimum departures from the terms of the ordinance necessary to avoid such deprivation of privileges enjoyed by such other property and to facilitate a reasonable use, and which will not create significant probabilities of harmful environmental consequences? YES/~~NO~~

This application proposes to construct shoreline access in order to safely access to the shoreline. The construction methodology has a minimum footprint, disturbed areas will be re-vegetated and properly screened as required by Code with herbaceous and woody plants.

3. The proposal does not provide special privileges not enjoyed by other similarly situated properties with similarly timed development, and is not based on a special or unique condition which was created as a result of the method by which a person voluntarily subdivided land. YES/~~NO~~

A variance to construct shoreline access and dock within a CEF buffer is created by the topography and geology of the site, not be the nature of the subdivision.

4. Does the proposal demonstrate water quality equal to or better than would have resulted had development proceeded without the variance? YES/~~NO~~
This application proposes to re-vegetate any disturbed areas and the impervious cover is nominal. The resulting water quality will not be degraded.

5. For a variance from the requirements for development within the Critical Water Quality Zone and/or Water Quality Transition Zone: Does the application of restrictions leave the property owner without any reasonable, economic use of the entire property? YES/~~NO~~

The proposed construction is allowed by Code in the CWQZ and there is no WQTZ for Lake Austin.

Your support of the requested variance will be greatly appreciated. Please call if you have any questions.

Very truly yours,

Aupperle Company

A handwritten signature in black ink, appearing to read "B. Aupperle". The signature is fluid and cursive, with a large initial "B" and a long, sweeping underline.

Bruce S. Aupperle, P.E.



ENVIRONMENTAL BOARD VARIANCE APPLICATION TEMPLATE

Insert Applicant Variance Request Letter here.

PROJECT DESCRIPTION

Applicant Contact Information

Name of Applicant	Steve Dobbs
Street Address	3337 Far View Drive
City State ZIP Code	Austin, TX 78730
Work Phone	713-501-2721
E-Mail Address	stevebdobbs@gmail.com

Variance Case Information

Case Name	3337 Far View Drive
Case Number	SP-2014-0135D
Address or Location	3337 Far View Drive
Environmental Reviewer Name	Pamela Abee-Taulli
Applicable Ordinance	25-8-281(C)(2)(b)
Watershed Name	Lake Austin
Watershed Classification	<input type="checkbox"/> Urban <input type="checkbox"/> Suburban <input type="checkbox"/> Water Supply Suburban <input checked="" type="checkbox"/> Water Supply Rural <input type="checkbox"/> Barton Springs Zone
Edwards Aquifer Recharge Zone	<input type="checkbox"/> Barton Springs Segment <input type="checkbox"/> Northern Edwards Segment <input checked="" type="checkbox"/> Not in Edwards Aquifer Zones

Edwards Aquifer Contributing Zone	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Distance to Nearest Classified Waterway	Zero
Water and Waste Water service to be provided by	N/A
Request	The variance request is as follows (City code references): Variance to LDC Section 25-8-281(C)(2)(b) Construction within a Critical Environmental Features Buffer Zone

	Existing	Proposed
Impervious cover square footage:	___ N/A ___	___ N/A ___
acreage:	___ N/A ___	___ N/A ___
percentage:	___ N/A ___	___ N/A ___
Provide general description of the property (slope range, elevation range, summary of vegetation / trees, summary of the geology, CWQZ, WQTZ, CEFs, floodplain, heritage trees, any other notable or outstanding characteristics of the property)	See attached Engineer's Summary Letter.	

Clearly indicate in what way the proposed project	Construction of two-slip dock, shoreline access and appurtenances will
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does not comply with current Code (include maps and exhibits)	cross CEF setback.
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FINDINGS OF FACT

As required in LDC Section 25-8-41, in order to grant a variance the Land Use Commission must make the following findings of fact:

Include an explanation with each applicable finding of fact.

Project: 3337 Far View

Ordinance: 25-8-281(C)(2)(b)

A. Land Use Commission variance determinations from Chapter 25-8-41 of the City Code:

1. The requirement will deprive the applicant of a privilege or the safety of property given to owners of other similarly situated property with approximately contemporaneous development.

Yes/~~No~~ *This application is requesting to construct a safe method of shoreline access a boat dock within a CEF setback. The proposed access construction is over very steep slopes to gain access to the Lake Austin shoreline and a dock thereon. There are currently many shoreline accesses that traverse CEF setback areas as defined by Code that were either grandfathered or were granted this variance administratively.*

2. The variance:

- a) Is not based on a condition caused by the method chosen by the applicant to develop the property, unless the development method provides greater overall environmental protection than is achievable without the variance;

Yes/~~No~~ *This subdivision, River Pointe, was not platted under the current land development code. This lot in River Pointe was platted under the Lake Austin Watershed Ordinance, which did not require setbacks or buffers for critical environmental features at the time of platting.*

- b) Is the minimum change necessary to avoid the deprivation of a privilege given to other property owners and to allow a reasonable use of the property;

~~Yes/No~~ *This application proposes to construct shoreline access with boat dock in order to safely access the shoreline. Without adequate and safe shoreline access the property owners would not have the enjoyment of their lot's shoreline area or a dock facility. The proposed shoreline access construction is necessary and is an appurtenances to the dock and the shoreline area and as is permitted construction within the CWQZ.*

- c) Does not create a significant probability of harmful environmental consequences; and

~~Yes/No~~ *The construction methodology has a minimum footprint, does not propose to remove any trees greater than 8" diameter, disturbed areas will be re-vegetated and properly screened as required by Code with herbaceous and woody plants.*

3. Development with the variance will result in water quality that is at least equal to the water quality achievable without the variance.

~~Yes/No~~ *This application proposes to re-vegetate any disturbed areas and the impervious cover is nominal. The resulting water quality will not be degraded.*

~~B. Additional Land Use Commission variance determinations for a requirement of Section 25-8-393 (Water Quality Transition Zone), Section 25-8-423 (Water Quality Transition Zone), Section 25-8-453 (Water Quality Transition Zone), or Article 7, Division 1 (Critical Water Quality Zone Restrictions):~~

- ~~1. The criteria for granting a variance in Section A are met;~~

~~Yes/No~~ ~~_____ [summary of basis for determination]~~

- ~~2. The requirement for which a variance is requested prevents a reasonable, economic use of the entire property; and~~

~~Yes/No~~ ~~_____ [summary of basis for determination]~~

- ~~3. The variance is the minimum change necessary to allow a reasonable, economic use of the entire property.~~

April 13, 2015

Yes/No _____ [summary of basis for determination]

**Variance approval requires all above affirmative findings.



Aupperle Company

10088 Circleview Drive, Austin, Texas 78733

Phone & Fax (512) 329-8241

Email: Aupperle@att.net

Texas Board of Professional Engineers Registration Number F-1994

April 28, 2014

Director of Planning and Development Review
City of Austin
P.O. Box 1088
Austin, Texas 78767

Re: Environmental Assessment Report, Engineer's Floodway Encroachment Certification and Summary Letter for a Single-Family Boat Dock on Lake Austin at 3337 Far View Drive, Austin Texas

Dear Director:

This project proposes to construct a new boat dock, tram and appurtenances. A general description of the proposed project follows.

Overview

This project is located on Lot 1 of the River Pointe Subdivision, a single-family lot, situated approximately 5 miles south of the intersection of FM 2222 and City Park Road. The plat is recorded in Travis County Deed Records, Volume 86, Pages 98B-D. The property is located within the city limits of the City of Austin. The principal residence associated with this residential dock will be at 3337 Far View Drive. The project site is located within the Lake Austin watershed. The new dock width will be 26 feet or 20% of the shoreline width. Access for construction activities will be by water and land. All dock piles will be 6-5/8" driven steel piles. All dock piles will be driven to 0.5" refusal per blow. There will be no shoreline improvements. The dock improvements will be built this coming summer.

Environmental Resource Inventory (a.k.a Environmental Assessment)

The project site is not located over a karst aquifer, is not within an area draining to a karst aquifer or reservoir, is not within a water quality transition zone, is within a critical water quality zone, is located on slopes with a gradient more than 15 percent, and is located within the 100-year flood plain of Lake Austin. The F.E.M.A. flood plain information is attached and F.I.R.M information is included on the cover sheet. Photographs of the site and shoreline area are attached.

Hydrogeologic Element: See attached report prepared by SWCA dated April 18, 2014. The project is 100% over Lake Austin and runoff from the dock should not propose any harm to the quality or quantity of recharge at significant point recharge features.

Vegetation Element: The proposed construction preserves to the greatest extent practicable the significant trees and other vegetation at the single-family site. No trees greater than eight inches in diameter within the limits of construction will be removed for the proposed dock and tram.

Wastewater Element: No wastewater or water service is proposed for this project. Therefore, justifications, explanations, descriptions, techniques, standards or calculations regarding wastewater service are not included herein.

Engineer's Certification - Floodway Encroachment - LDC 25 -12 G103.5

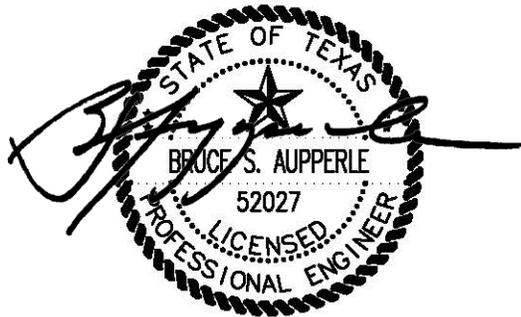
The proposed dock will not increase the rate of storm runoff within the Colorado River watershed. The openness and profile of the proposed dock will not adversely obstructive flood flows relative to the existing shoreline protrusions and improvement and will not increase the level of the design flood of the adjacent Colorado River.

Variances, Waivers & Conclusions

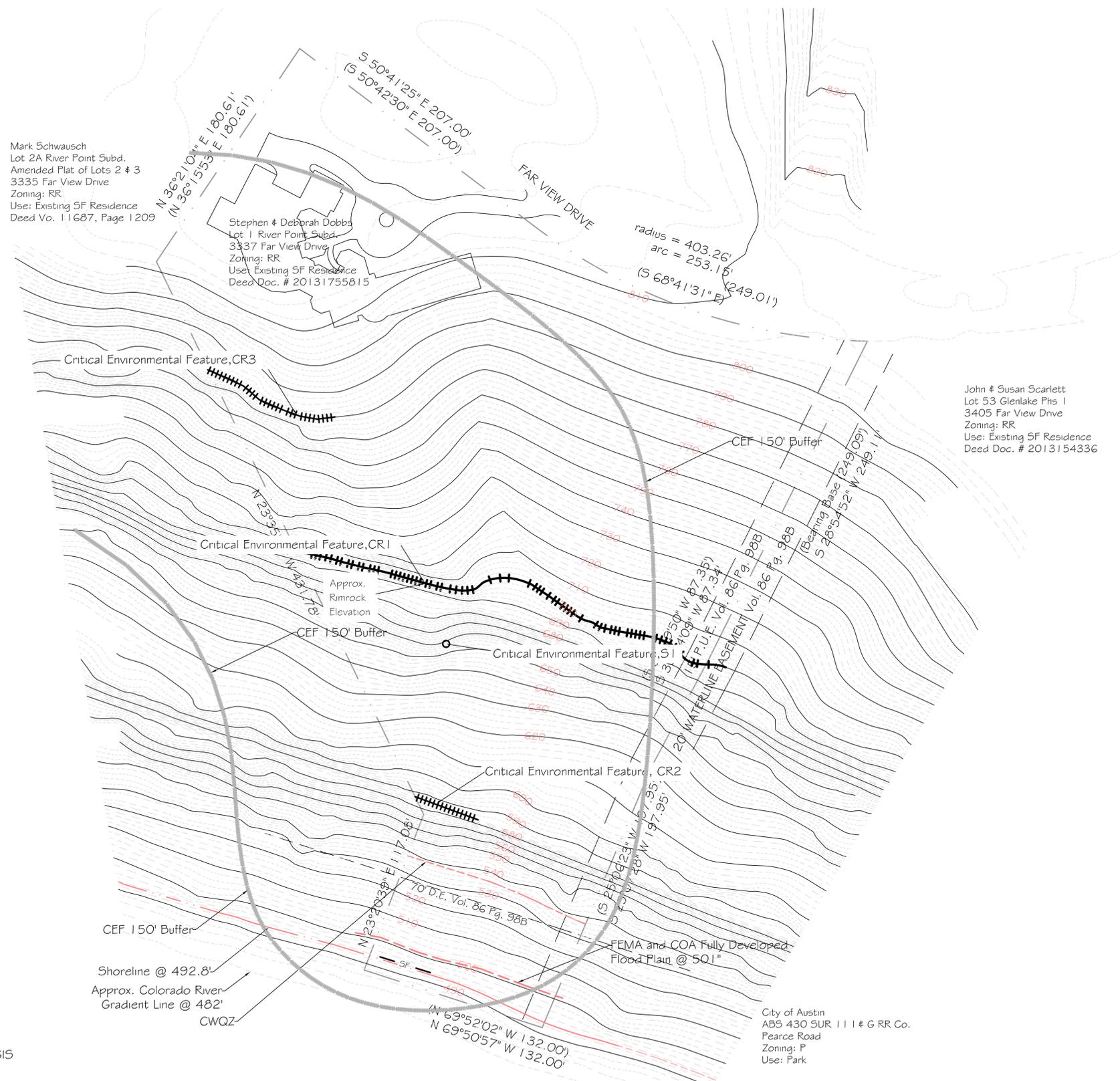
The dock construction is located with the critical water quality zone, but a variance to construct the dock facilities in the CWQZ is not required. The dock width does not exceed 20% of the shoreline width. The dock will not extend beyond the 30' shoreline. The dock will not encroach into the 10-foot side yard setback. The tram will cross CEF setbacks and variance letter is attached requesting a variance to Section 25-8-281. The dock project as designed is in compliance with the applicable requirements of the City of Austin Development Code. There will be no adverse impact on the natural and traditional character of the land or waterways. If you have any questions, please feel free to call.

Very truly yours,

Bruce S. Aupperle, P.E.



3337 FAR VIEW DRIVE

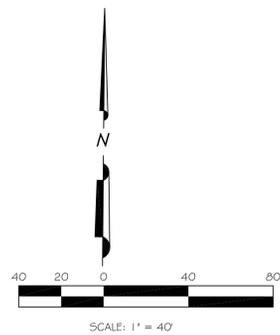


Mark Schwausch
 Lot 2A River Point Subd.
 Amended Plat of Lots 2 & 3
 3335 Far View Drive
 Zoning: RR
 Use: Existing SF Residence
 Deed Vo. 11687, Page 1209

Stephen & Deborah Dobbs
 Lot 1 River Point Subd.
 3337 Far View Drive
 Zoning: RR
 Use: Existing SF Residence
 Deed Doc. # 20131755815

John & Susan Scarlett
 Lot 53 Glenlake Phs I
 3405 Far View Drive
 Zoning: RR
 Use: Existing SF Residence
 Deed Doc. # 2013154336

City of Austin
 ABS 430 SUR III & G RR Co.
 Pearce Road
 Zoning: P
 Use: Park



Source of Topography: City of Austin GIS



AUPPERLE COMPANY
 Engineering, Planning & Development Services
 10088 Circleview Drive, Austin, Texas 78734 512.329-8241
 Texas Board Of Professional Engineers Registration Number F-1994

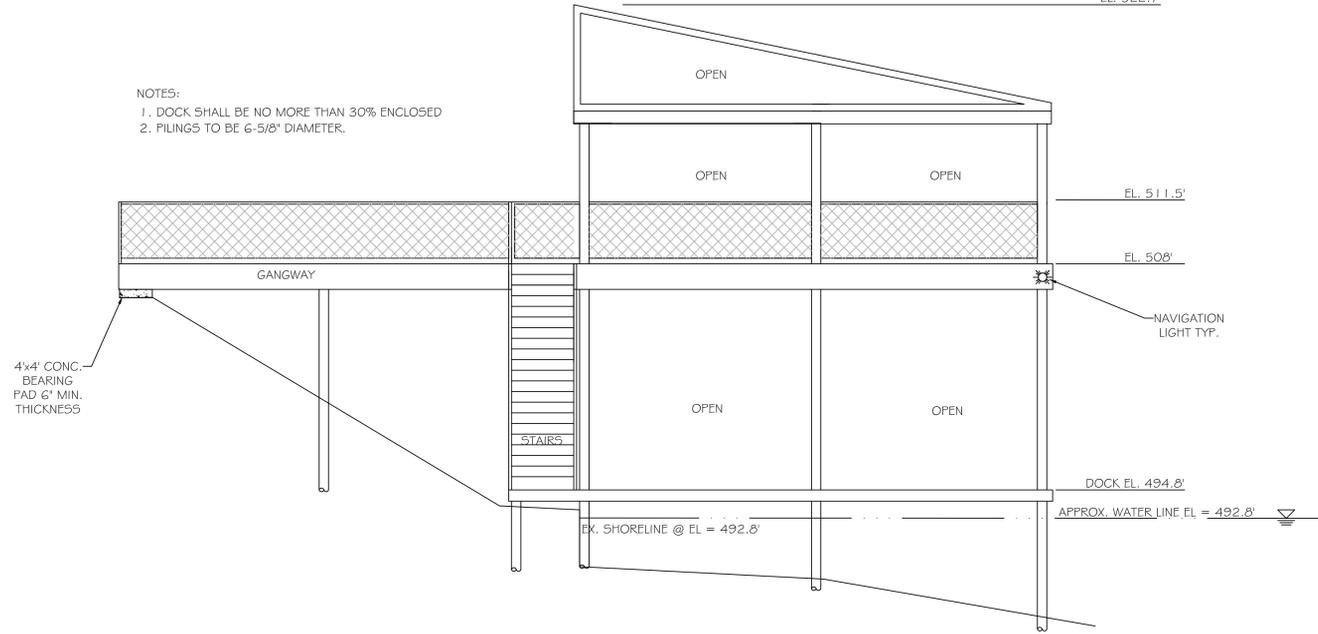
3337 FAR VIEW DRIVE
EXISTING CONDITIONS

DESIGNED: BSA
APPROVED:
SCALE: NTS
3337 Far View Dr.
DATE: Mar. 5, 2015
SHEET 2 of 7

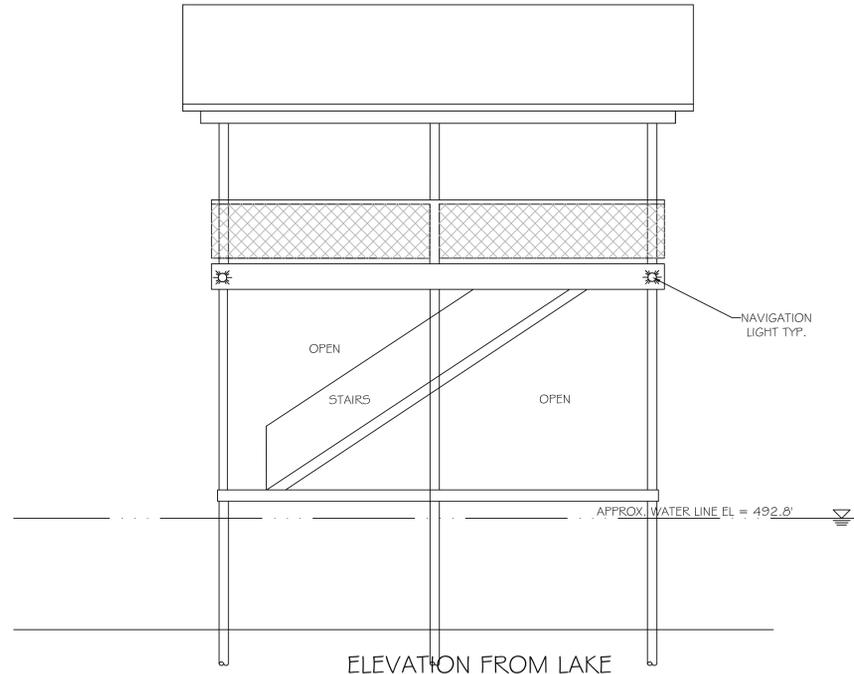
3337 FAR VIEW DRIVE

EL. 522.7

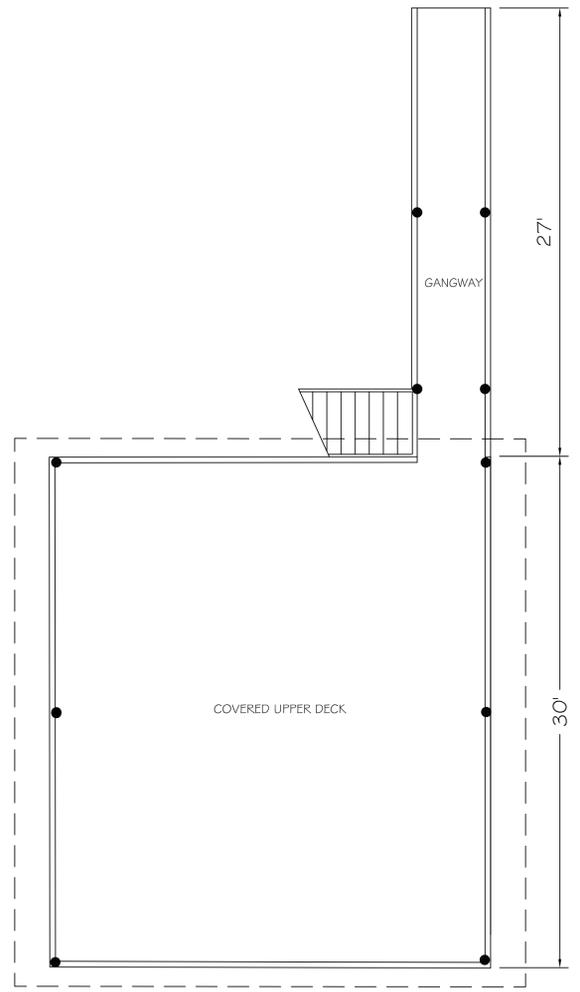
- NOTES:
 1. DOCK SHALL BE NO MORE THAN 30% ENCLOSED
 2. PILING TO BE 6-5/8" DIAMETER.



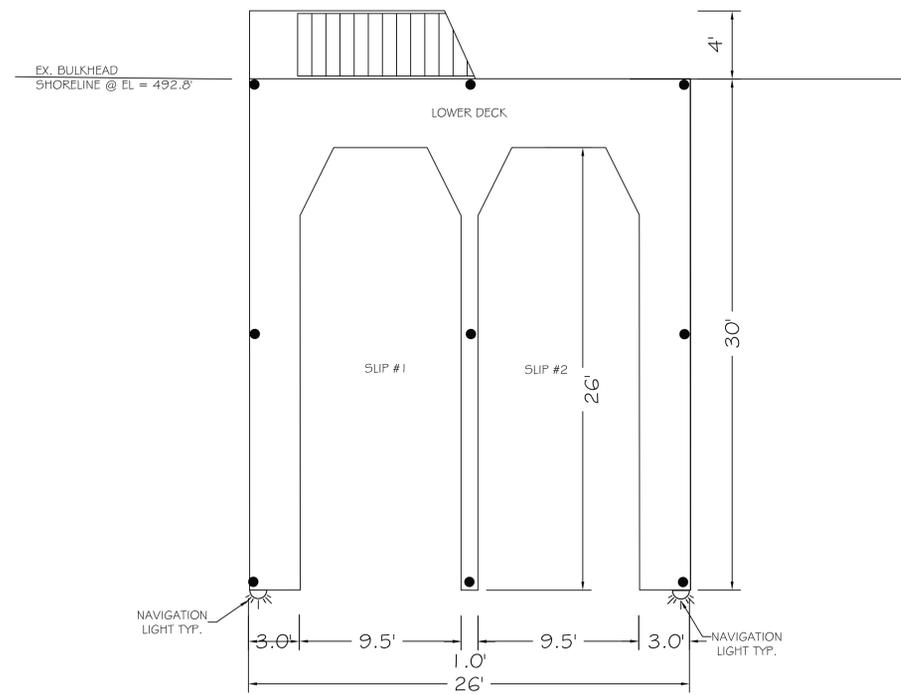
ELEVATION FROM DOWNSTREAM
 1" = 5'



ELEVATION FROM LAKE
 1" = 5'



DOCK SECOND FLOOR PLAN
 1" = 5'



DOCK FIRST FLOOR PLAN
 1" = 5'



AUPPERLE COMPANY
 Engineering, Planning & Development Services
 10088 Circleview Drive, Austin, Texas 78734 512 329-8241
 Texas Board Of Professional Engineers Registration Number F-1994

3337 FAR VIEW DRIVE
DOCK PLAN & ELEVATIONS

DESIGNED: BSA
 APPROVED:
 SCALE: NTS
 3337 FAR VIEW DR.
 DATE: Mar. 5, 2015
 SHEET 4 of 7

3337 FAR VIEW DRIVE

Mark Schwausch
 Lot 2A River Point Subd.
 Amended Plat of Lots 2 & 3
 3335 Far View Drive
 Zoning: RR
 Use: Existing SF Residence
 Deed Vo. 11687, Page 1209

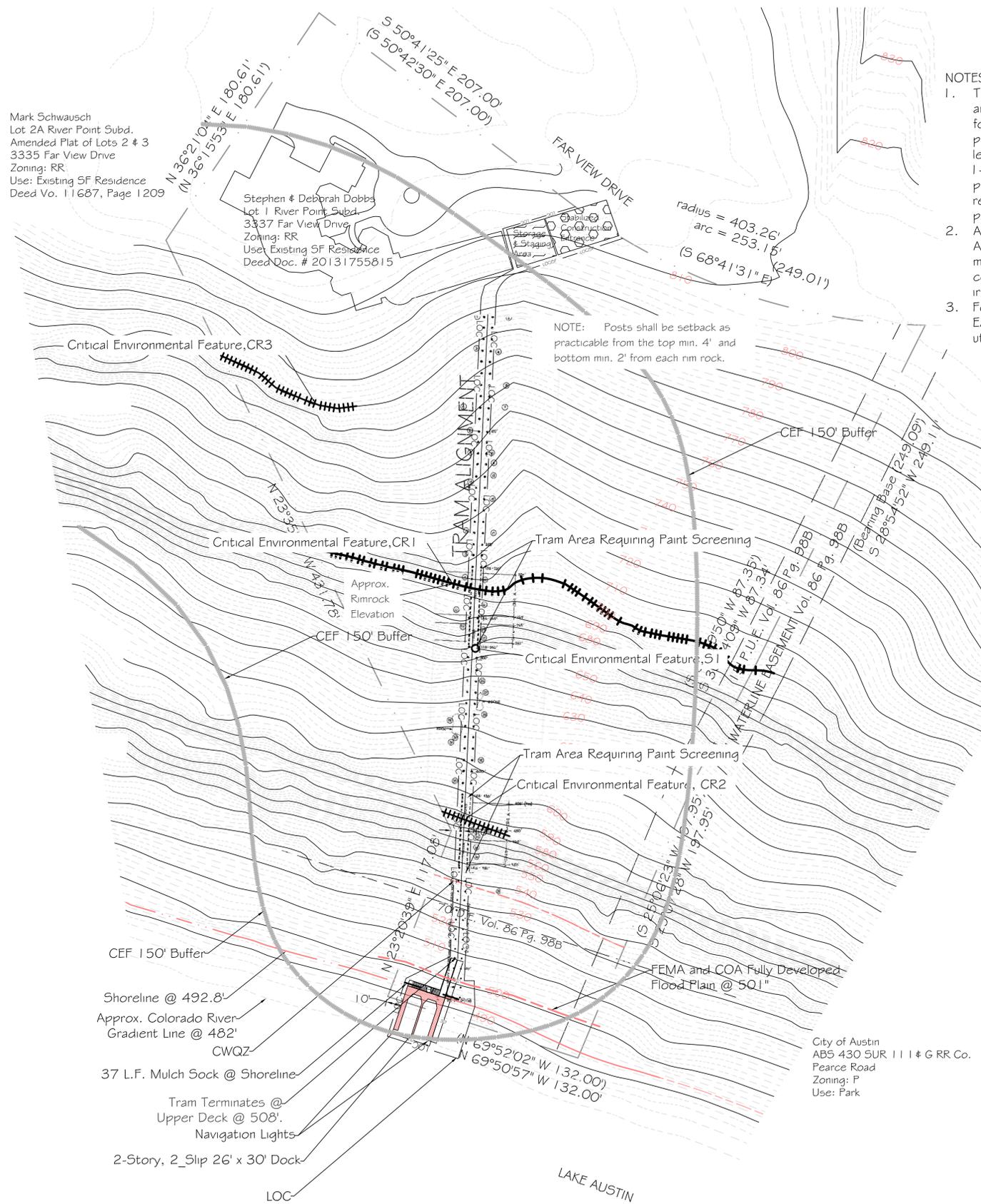
Stephen & Deborah Dobbs
 Lot 1 River Point Subd.
 3337 Far View Drive
 Zoning: RR
 Use: Existing SF Residence
 Deed Doc. # 20131755815

John & Susan Scarlett
 Lot 53 Glenlake Phs I
 3405 Far View Drive
 Zoning: RR
 Use: Existing SF Residence
 Deed Doc. # 2013154336

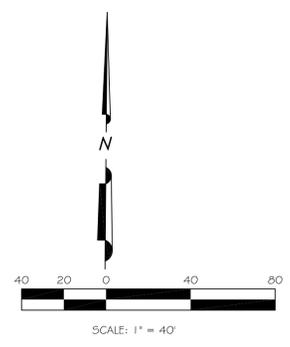
NOTES:

- Tram shall be screened at a minimum by a mix of herbaceous and woody plants @ a min. 10' C-C, both sides with the following plant species: 1-Gallon Meadow Sedge (Carex perdentata), 1-Gallon Blackfoot Daisy (Melampodium leucanthum), 1-Gallon Texas Persimmon (Diospyros texana) and 1-Gallon Evergreen Yaupon for a total of 90 plants or 30 plants of each species. For areas where plants do not provide required screen, tram shall be painted dark gray mottled to provided required screening.
- All activities within the CEF buffer must comply with the City of Austin Land Development Code. The natural vegetative cover must be retained to the maximum extent practicable; construction is prohibited; and wastewater disposal or irrigation is prohibited.
- For slope soil areas disturbed during construction, Scorched Earth Recovery Mix seed at a rate of 9 lbs. per acre shall be utilized for re-vegetation.

NOTE: Posts shall be setback as practicable from the top min. 4' and bottom min. 2' from each rim rock.

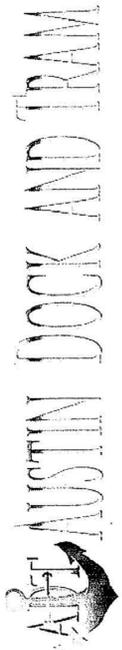


TREES	
① 12" OAK @ 8'	⑩ 10" OAK @ 14'
② 12" OAK @ 12'	⑪ 12" HACKBERRY @ 20'
③ 12" OAK @ 7'	⑫ 24" DBL. OAK @ 16'
④ SCUDS OAKS	⑬ 6" PERSIMMON @ 12'
⑤ 12" OAK @ 24'	⑭ 10" OAK @ 14'
⑥ 16" OAK @ 24'	⑮ 12" OAK @ 9'
⑦ 12" CEDAR @ 24'	⑯ 4" PERSIMMON @ 14'
⑧ 14" OAK @ 16'	⑰ 12" CEDAR @ 14'
⑨ 10" OAK @ 10'	⑱ 12" CEDAR @ 14'
⑩ 4" CEDAR @ 7'	⑲ 8" OAK @ 12'
⑪ 4" CEDAR @ 6'	⑳ 12" OAK @ 10'
⑫ 12" CEDAR @ 8'	㉑ 16" OAK @ 20'
⑬ 20" CEDAR @ 14'	㉒ 3M. CEDARS 4" MAX.
⑭ 12" CEDAR @ 8'	㉓ 3M. CEDARS 4" MAX.
⑮ 20" CEDAR @ 14'	㉔ 3M. CEDARS 6" MAX.
⑯ 8" CEDAR @ 10'	㉕ 3M. CEDARS 4" MAX.
⑰ 18" CEDAR @ 10'	㉖ 10" CEDAR (WATERS EDGE)
⑱ 5" CEDAR @ 14'	㉗ 8" OAK (WATERS EDGE)
⑲ 6" OAK @ 7'	㉘ 8" CEDAR (WATERS EDGE)
㉑ 12" CEDAR @ 14'	㉙ 8" CEDAR (WATERS EDGE)



<p>AUPPERLE COMPANY Engineering, Planning & Development Services 10088 Circleview Drive, Austin, Texas 78734 512.329.8241 <small>Texas Board Of Professional Engineers Registration Number F-1994</small></p>	<p>3337 FAR VIEW DRIVE SITE PLAN - TRAM AREA</p>
<p>DESIGNED: BSA APPROVED: SCALE: NTS 3337 Far View Dr. DATE: Mar. 5, 2015 SHEET 5 of 7</p>	<p>NO. DATE REVISION</p>

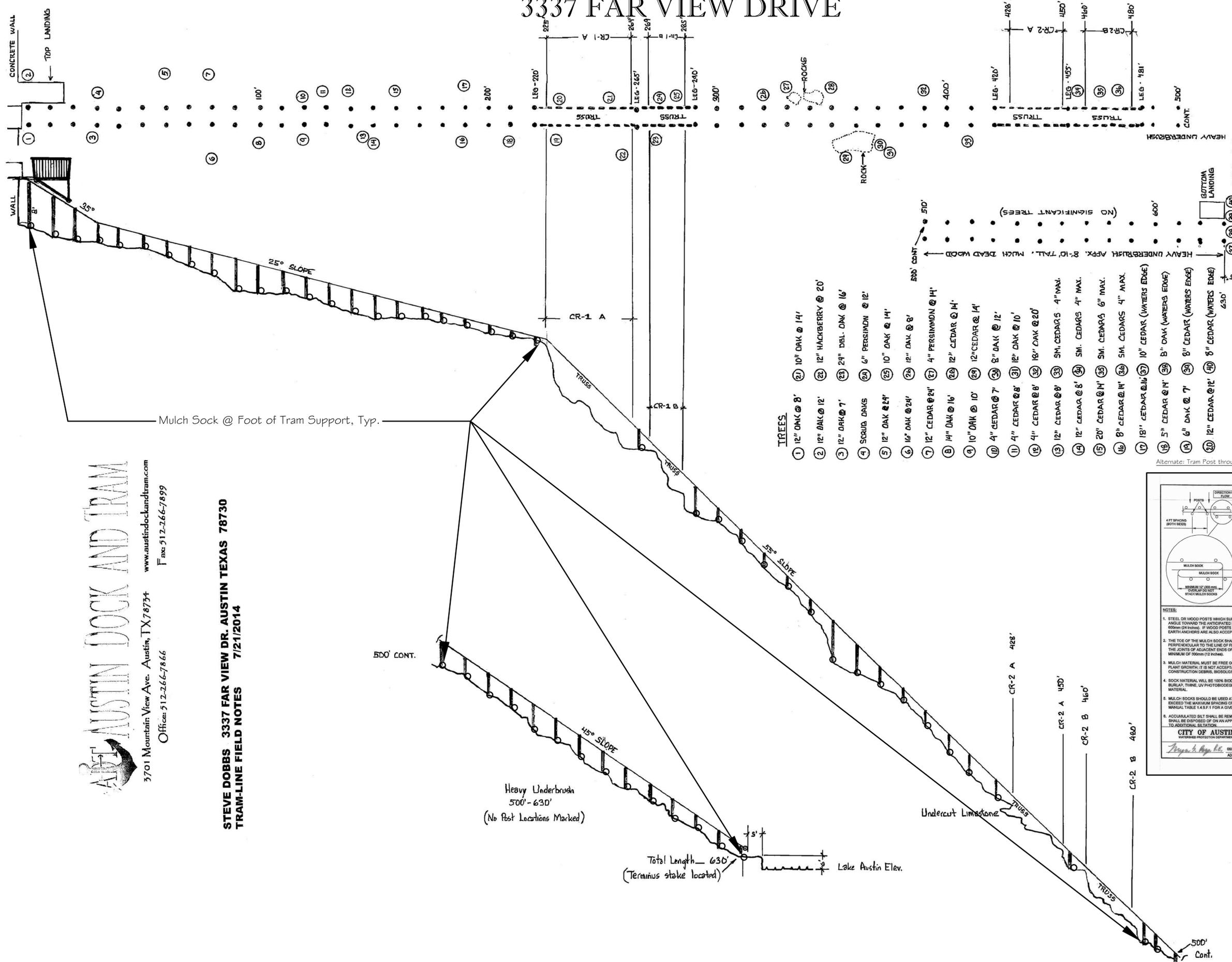
All responsibility for the adequacy of these plans remain with the engineer who prepared them. In approving these plans, the City of Austin must rely upon the adequacy of the work of the design engineer.



3701 Mountain View Ave. Austin, TX 78734
 www.austindockandtram.com
 Office: 512-266-7866 Fax: 512-266-7899

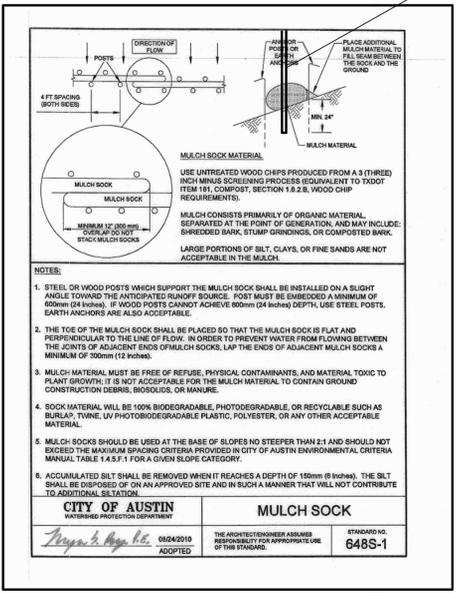
STEVE DOBBS 3337 FAR VIEW DR. AUSTIN TEXAS 78730
 TRAM-LINE FIELD NOTES 7/21/2014

3337 FAR VIEW DRIVE



- TREES**
- 1 12" OAK @ 8'
 - 2 12" OAK @ 12'
 - 3 12" OAK @ 7'
 - 4 SCRUB OAKS
 - 5 12" OAK @ 24'
 - 6 10" OAK @ 24'
 - 7 12" CEDAR @ 24'
 - 8 14" OAK @ 16'
 - 9 10" OAK @ 10'
 - 10 4" CEDAR @ 7'
 - 11 4" CEDAR @ 8'
 - 12 4" CEDAR @ 8'
 - 13 12" CEDAR @ 8'
 - 14 12" CEDAR @ 8'
 - 15 20' CEDAR @ 14'
 - 16 8" CEDAR @ 14'
 - 17 18" CEDAR @ 16'
 - 18 5" CEDAR @ 14'
 - 19 6" OAK @ 7'
 - 20 12" CEDAR @ 12'
 - 21 10" OAK @ 14'
 - 22 12" HACKBERRY @ 20'
 - 23 24" DEL. OAK @ 16'
 - 24 6" PERSIMMON @ 12'
 - 25 10" OAK @ 14'
 - 26 12" OAK @ 8'
 - 27 4" PERSIMMON @ 14'
 - 28 12" CEDAR @ 14'
 - 29 8" OAK @ 12'
 - 30 12" OAK @ 10'
 - 31 12" OAK @ 20'
 - 32 5" CEDAR @ 4" MAX.
 - 33 5" CEDAR @ 4" MAX.
 - 34 5" CEDAR @ 6" MAX.
 - 35 5" CEDAR @ 4" MAX.
 - 36 10" CEDAR (WATERS EDGE)
 - 37 8" OAK (WATERS EDGE)
 - 38 8" CEDAR (WATERS EDGE)
 - 39 8" CEDAR (WATERS EDGE)
 - 40 8" CEDAR (WATERS EDGE)

Alternate: Tram Post through Mulch Sock in lieu of Side Anchors

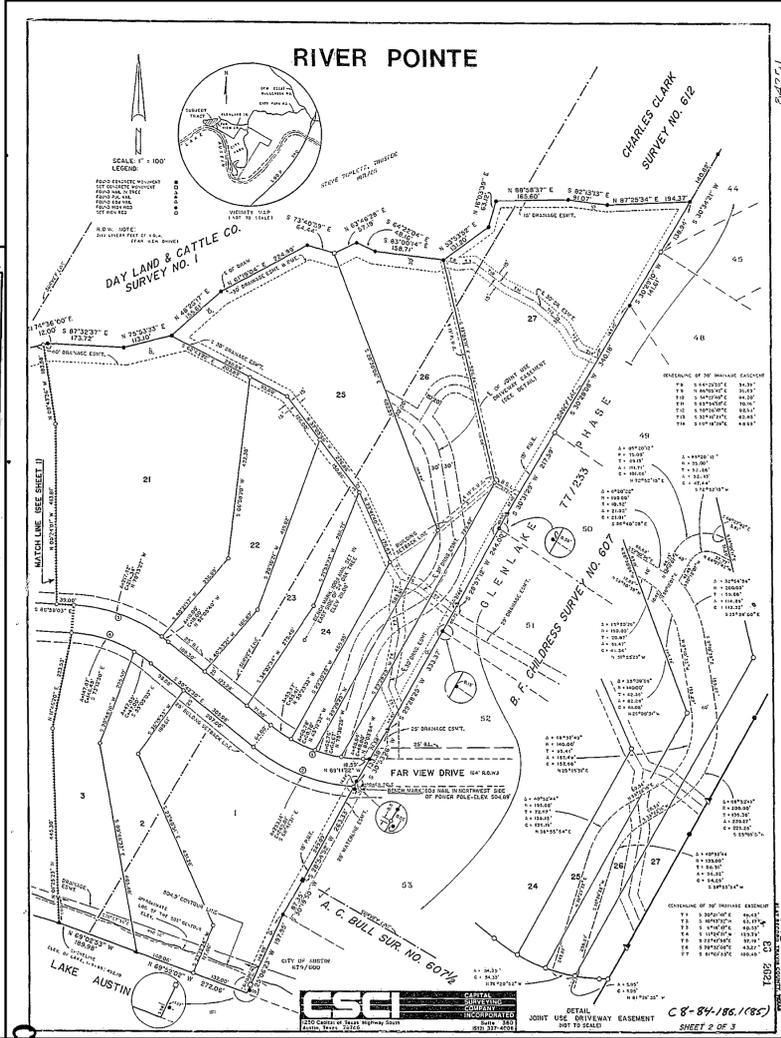
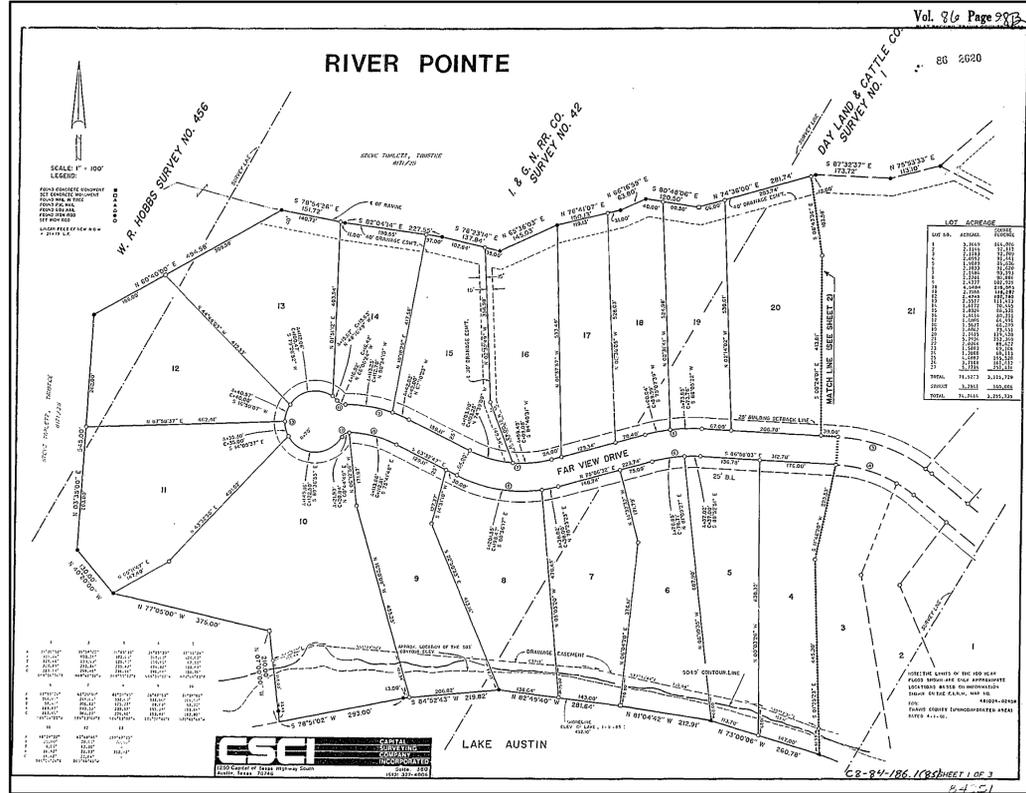


- NOTES:**
- STEEL OR WOOD POSTS WHICH SUPPORT THE MULCH SOCK SHALL BE INSTALLED ON A SLIGHT ANGLE TOWARD THE ANTICIPATED RUNOFF SOURCE. POST MUST BE EMBEDDED A MINIMUM OF 600mm (24 inches). IF WOOD POSTS CANNOT ACHIEVE 600mm (24 inches) DEPTH, USE STEEL POSTS. EARTH ANCHORS ARE ALSO ACCEPTABLE.
 - THE TOE OF THE MULCH SOCK SHALL BE PLACED SO THAT THE MULCH SOCK IS FLAT AND PERPENDICULAR TO THE LINE OF FLOW. IN ORDER TO PREVENT WATER FROM FLOWING BETWEEN THE JOINTS OF ADJACENT ENDS OF MULCH SOCKS, LAP THE ENDS OF ADJACENT MULCH SOCKS A MINIMUM OF 300mm (12 inches).
 - MULCH MATERIAL MUST BE FREE OF REFUSE, PHYSICAL CONTAMINANTS, AND MATERIAL TOXIC TO PLANT GROWTH. IT IS NOT ACCEPTABLE FOR THE MULCH MATERIAL TO CONTAIN GROUND CONSTRUCTION DEBRIS, BROODINGS, OR MANURE.
 - SOCK MATERIAL WILL BE 100% BIODEGRADABLE, PHOTODEGRADABLE, OR RECYCLABLE SUCH AS BURLAP, TWINE, UV PHOTODEGRADABLE PLASTIC, POLYESTER, OR ANY OTHER ACCEPTABLE MATERIAL.
 - MULCH SOCKS SHOULD BE USED AT THE BASE OF SLOPES NO STEEPER THAN 1:1 AND SHOULD NOT EXCEED THE MAXIMUM SPACING CRITERIA PROVIDED IN CITY OF AUSTIN ENVIRONMENTAL CRITERIA MANUAL TABLE 14.5.F.1 FOR A GIVEN SLOPE CATEGORY.
 - ACCUMULATED SILT SHALL BE REMOVED WHEN IT REACHES A DEPTH OF 150mm (6 inches). THE SILT SHALL BE DISPOSED OF ON AN APPROVED SITE AND IN SUCH A MANNER THAT WILL NOT CONTRIBUTE TO ADDITIONAL SILTATION.

3337 FAR VIEW DRIVE TRAM PROFILE & DETAILS

DESIGNED: BSA
 APPROVED:
 SCALE: NTS
 3337 Far View Dr.
 DATE: Mar. 5, 2015
 SHEET 6 of 7

3337 FAR VIEW DRIVE



RIVER POINTE

THE STATE OF TEXAS }
 COUNTY OF TRAVIS }

KNOW ALL MEN BY THESE PRESENTS, THAT I, Wiley Hollman, president of JON Development Co., Inc., a corporation organized and existing under the laws of the State of Texas with its principal office located in Austin, Texas, owner of a tract of land containing 21.1000 acres out of the 21.1000 acres of the 1 & G. N. Ryan, Co. Survey No. 42, Travis County, Texas, do hereby certify that the subdivision shown on this plat is in accordance with the plat as shown herein, to be known as RIVER POINTE, and do hereby dedicate to the public the use of the streets and easements as shown hereon. Said tract is subject to any covenants or restrictions hereinafter granted.

WITNESS the hand of Wiley Hollman, President of JON Development Co., Inc., this 5th day of August, 1985.

Wiley Hollman
 Wiley Hollman, President
 JON Development Co., Inc.
 201 Dock Lane Drive
 Austin, Texas 78733

THE STATE OF TEXAS }
 COUNTY OF TRAVIS }

BEFORE ME, the undersigned authority, personally appeared Wiley Hollman, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this 15th day of August, 1985.

James Lee Harris
 James Lee Harris
 Notary Public
 My Commission Expires: 12-31-87

NOTES:
 Development will proceed under the terms and requirements of Lake Austin Ordinance No. 24001 - C.
 Every lot shall be reasonably accessible by a vehicle from the roadway on the probable building site. For a minimum travel distance of twenty-five (25) feet from the roadway, the driveway grade for paved concrete shall be percent only with the specific approval of the surface and concrete design engineer.
 All building foundations on slopes of fifteen percent or more and on fill placed on steep slopes shall be designed and constructed in accordance with the provisions contained in a registered professional engineer's written report to this effect.
 All building foundations for all construction on individual lots in this subdivision including single family construction, in accordance with the City of Austin Ordinance and Subdivision Control Manual.
 No fill on any lot shall exceed a maximum of four feet of depth. Except for structural construction, no net on any lot shall be greater than four feet.
 Property owners shall not prohibit access to the drainage easements shown hereon by authorized officials of Travis County, City of Austin, State Health Department and other agencies.
 Plans and specifications shall be designed and available in accordance with the City of Austin and State Health Department Plans and Specifications. Plans and specifications shall be submitted to the City of Austin for review and approval.
 These lots shall be from the Joint Driveway, Ingress and Egress from a portion of the property located on the 100 year floodplain as shown on F.I.M. Panel No. 41024-2025. The minimum building slab elevation for lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52 shall be 985.0 (2' 0") above the 100 year floodplain. The 100 year flood plain is contained within the drainage easement as shown.

A Joint Use and Access Agreement providing for the use and maintenance of a joint use driveway easement in River Pointe Subdivision has been recorded in Volume 2561, Page 338 of the Book Records of Travis County, Texas.

A declaration of covenants, conditions and restrictions for River Pointe Subdivision has been recorded in Volume 2561, Page 360 of the Book Records of Travis County, Texas.

ENGINEERING BY:
J.P. Redwell Aug. 15-85
 J.P. Redwell, Professional Engineer No. 5564
 1350 Capital of Texas Highway, South Building, One, Suite 100
 Austin, Texas 78746

I, Jerry Fales, an authorized under the laws of the State of Texas to practice the profession of Surveying, and hereby certify that this plat complies with Chapter 157 of the Austin City Code, is true and correct, and was prepared from an actual survey of the property under my supervision on the ground.

SURVEYED BY:
Jerry Fales 8-15-85
 Jerry Fales, Surveyor No. 1999
 1350 Capital of Texas Highway, South Building, One, Suite 100
 Austin, Texas 78746

THE STATE OF TEXAS }
 COUNTY OF TRAVIS }

I, Doris Shephard, clerk of the County Court, within and for the County and State aforesaid, do hereby certify that the within and foregoing instrument as written with its certificate of authentication was filed for record in my office on the 7th day of August, 1985, and that I have caused the filing of said instrument to be duly recorded in the minutes of said County of Travis County, Texas, at Page 282 of Book 96.

WITNESS MY HAND AND SEAL OF THE COUNTY COURT OF said County this 7th day of August, 1985.

DORIS SHEPHERD, CLERK COUNTY COURT, TRAVIS COUNTY, TEXAS

THE STATE OF TEXAS }
 COUNTY OF TRAVIS }

I, Doris Shephard, clerk of the County Court, within and for the County and State aforesaid, do hereby certify that the within and foregoing instrument as written with its certificate of authentication was filed for record in my office on the 7th day of August, 1985, and that I have caused the filing of said instrument to be duly recorded in the minutes of said County of Travis County, Texas, at Page 282 of Book 96.

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DORIS SHEPHERD, CLERK COUNTY COURT, TRAVIS COUNTY, TEXAS

NOTES:
 The buildings, fences, landscaping or other obstructions shall be located in any drainage easements, except as approved by the County Board/Authority of Justice.
 All improvements for this subdivision shall be built in accordance with the City of Austin Ordinance.
 This subdivision is subject to the following:
 1. Volume 105, Page 427, Volume 106, Page 430 of the Book Records of the City of Austin release fee claim of damage from overflow.
 2. Volume 276, Page 22 and Volume 273, Page 255 of Book Records grant a perpetual easement and release from claim of damage from overflow to the City of Austin.
 3. Volume 207, Page 239 of Book Records grants a blanket type electric easement to the City of Austin.

HEALTH DEPARTMENT RESTRICTIONS:
 No structure in this subdivision shall be occupied until connected to a public sewer system or to an individual sewage disposal system which has been approved by the Austin-Travis County Health Department.
 These restrictions are enforceable by the Austin-Travis County Health Department under the law currently in effect.
 All lots in this subdivision are approved for an on-site wastewater system.

HEALTH DEPARTMENT RESTRICTIONS:
 No structure in this subdivision shall be occupied until connected to a public sewer system or to an individual sewage disposal system which has been approved by the Austin-Travis County Health Department.
 These restrictions are enforceable by the Austin-Travis County Health Department under the law currently in effect.
 All lots in this subdivision are approved for an on-site wastewater system.

ACCEPTED AND AUTHORIZED FOR RECORD by the Planning Commission of the City of Austin, Texas, this 5th day of November, 1985.

James Shephard
 James Shephard, Secretary
 Office of Code Development
 Services, City of Austin
 LILLIE STONE

FRANCIS SCHENKOVAN
 SECRETARY
 HEALY E. DE LA GARZA

THE STATE OF TEXAS }
 COUNTY OF TRAVIS }

I, Doris Shephard, Clerk of the County Court, within and for the County and State aforesaid, do hereby certify that the within and foregoing instrument as written with its certificate of authentication was filed for record in my office on the 7th day of August, 1985, and that I have caused the filing of said instrument to be duly recorded in the minutes of said County of Travis County, Texas, at Page 282 of Book 96.

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THE STATE OF TEXAS }
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WITNESS MY HAND AND SEAL OF THE COUNTY COURT OF said County this 7th day of August, 1985.

DORIS SHEPHERD, CLERK COUNTY COURT, TRAVIS COUNTY, TEXAS

ES&I ENGINEERING & SURVEYING, INC.
 1300 Capital of Texas Highway, South Building, One, Suite 100
 Austin, Texas 78746
 512-329-8241
 512-329-8242

3337 FAR VIEW DRIVE
 SUBDIVISION PLAT

AUPPERLE COMPANY
 Engineering, Planning & Development Services
 10088 Circleview Drive, Austin, Texas 78734 512 329-8241
 Texas Board Of Professional Engineers Registration Number E-1994

DESIGNED: BSA
 APPROVED:
 SCALE: NTS
 3337 Far View Dr.
 DATE: Mar. 5, 2015
 SHEET 6 of 7

18 April 2014

RE: Site Environmental Investigation of 3337 Far View Drive, Austin, Texas 78746

Mr. Aupperle,

On 8 October 2013, an SWCA Registered Professional Geoscientist (Texas License # 10791) and an environmental specialist conducted a field investigation of the 3337 Far View Drive residential tract in Austin, Texas (Figure 1). The purpose of the site visit was to gather information on Critical Environmental Features (CEF) for inclusion with the City of Austin environmental assessment documents you are preparing. SWCA's survey area was limited to the corridor of the proposed tram, and 100 feet of either side of the centerline. The City of Austin Land Development Code (LDC § 25-8-1) defines CEFs as "features that are of critical importance to the protection of environmental resources, and include bluffs, canyon rimrocks, caves, sinkholes and recharge features, springs, and wetlands." Please refer to the LDC for CEF definitions.

The majority of the tract is undeveloped and dominated by dense Ashe juniper (*Juniperus ashei*). A single residence exists in the north-northwestern corner near Far View Drive (Figures 2–3). The tract is located in the Edwards Aquifer Contributing Zone, and is within the Lake Austin Watershed. The underlying lithology consists of the Cretaceous Glen Rose Limestone¹. Surface drainage is south down the steep slopes toward Lake Austin (Colorado River). Surface elevations on the tract range from approximately 493 feet at the shoreline to approximately 800 feet near Far View Drive (Figure 2, map provided by client), with an average percent slope or gradient of approximately 50%.

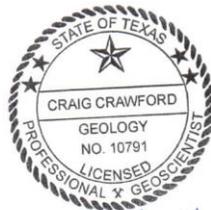
Due to the steep topography on the tract, SWCA was not able to fully complete the pedestrian survey of the proposed tram corridor. The survey was initiated at the top of the tract, and continued down slope until topography became too steep for safe access. SWCA identified two CEFs consisting of two segments of rimrock that extend across the tract at approximately the 700-foot contour, and the 590-foot contour (inferred from Figure 2). The estimated gradient is 83% along the shaded area identified as "CR1" on Figure 2, and the estimated gradient is 133% for the shaded area identified as "CR2". An additional feature on the map is labeled "S1" and this may be a seep at the base of the rimrock outcrop. SWCA was not able to directly observe feature S1.

Please feel free to contact Melanie Gregory at SWCA at any time with any questions at (512) 476-0891.

Sincerely,



Craig Crawford, P.G.



¹ Garner, L.E., and Young, K.P., 1976, Environmental Geology of the Austin Area: An Aid to Urban Planning, Bureau of Economic Geology Report of Investigations No. 86, The University of Texas at Austin

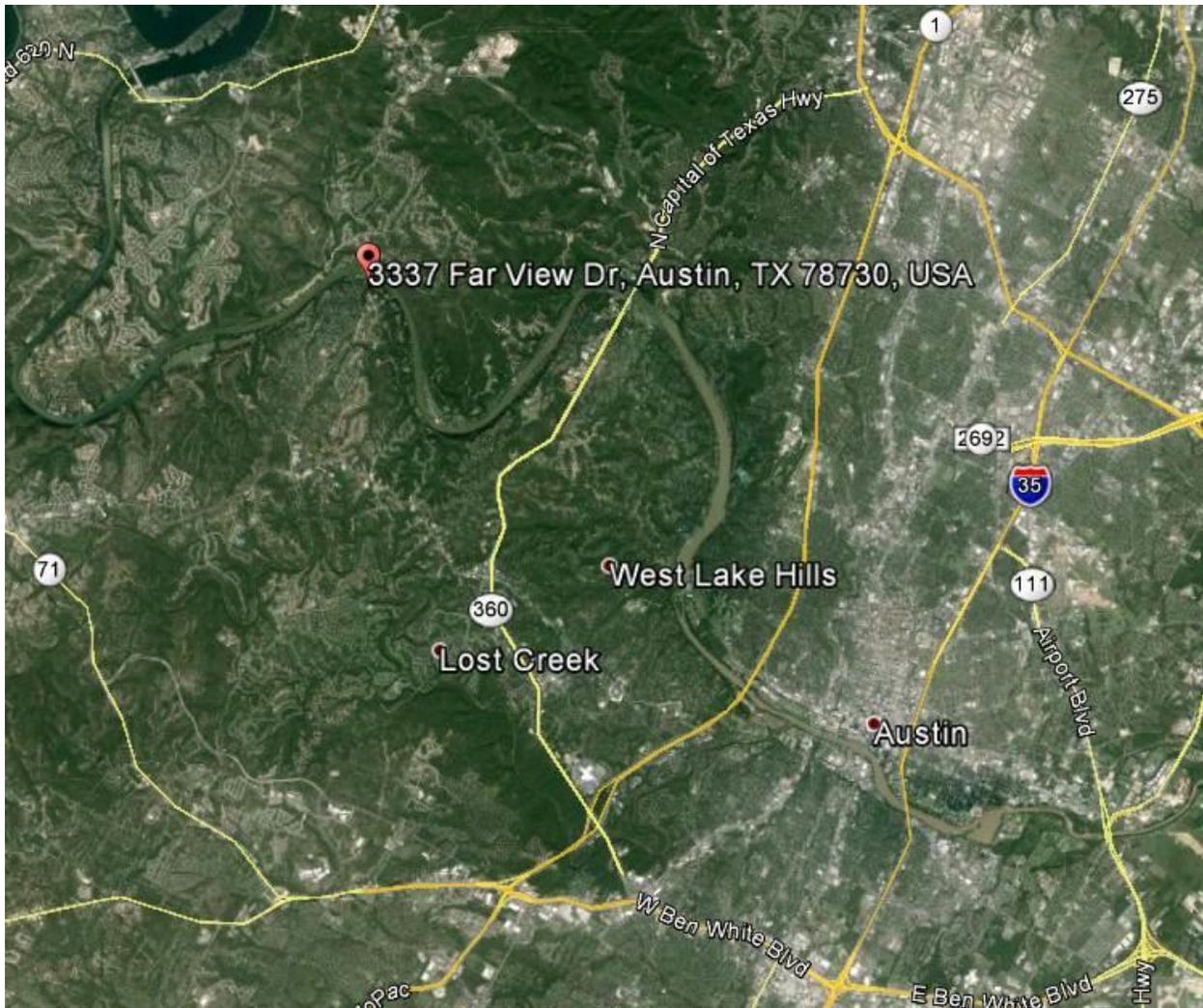


Figure 1. Location of the 3337 Far View Drive Tract

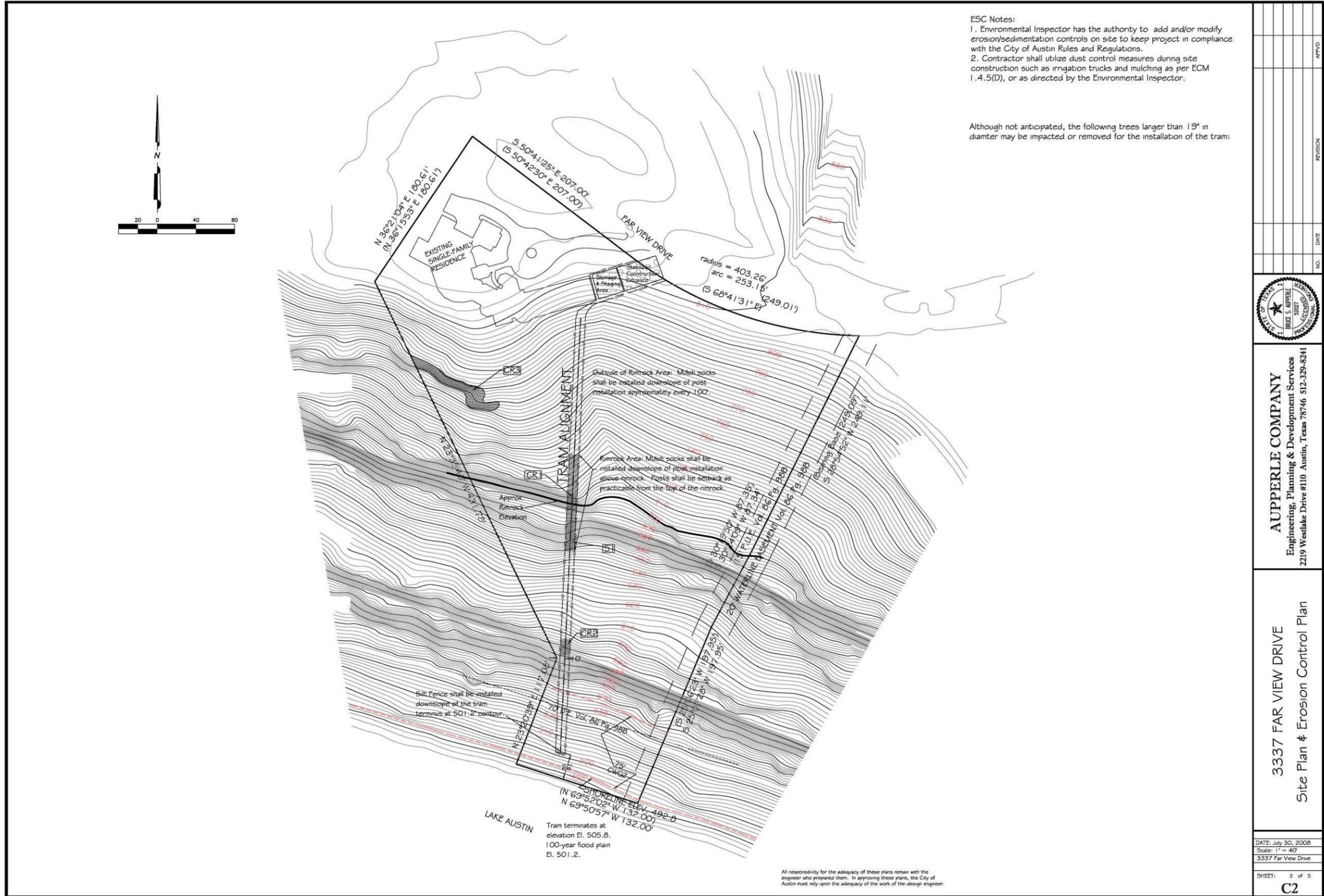


Figure 2. Site Plan and Erosion Control Plan for 3337 Far View Drive

DATE: July 30, 2008	APPROVED
Scale: 1" = 40'	REVISION
3337 Far View Drive	NO. DATE
AUPPERLE COMPANY Engineering, Planning & Development Services 2219 Westlake Drive #110 Austin, Texas 78746 512-329-8241	NO.
	DATE
3337 FAR VIEW DRIVE Site Plan & Erosion Control Plan	NO.
SHEET: 2 of 5 	NO.



Figure 3. Aerial view of 3337 Far View Drive



Figure 4. Oblique view of 3337 Far View Drive

December 22, 2014

E-MAIL & MAIL

Steven Dobbs
3337 Far View Drive
Austin, Texas 78730

Re: Geotechnical Evaluation
3337 Far View Drive – Dobbs Residence
Austin, Texas 78730
Engineer's Job #1419000150.9000

Dear Mr. Dobbs:

At your request, MLAW Forensics has performed a geotechnical evaluation of the footing establishment conditions for the proposed tram at the referenced address. Our evaluation consisted of the following:

- Site observations and a review of photographs of the proposed tram path. photographs,
- A review of site geology,
- Observations of similar tram installations near the referenced site,
- A review of the installation equipment for the footings
- A review of construction plans for the tram structural components (including footings) signed and sealed by Bruce S. Aupperle, P.E. on September 16, 2014. The plans provide site topography based on City of Austin GIS and identified two Critical Environmental Features which will be crossed by the proposed tram. Critical Environmental Features, CR-1 and CR-2, were noted between the elevations of 646 and 732 (CR-1) and 580 and 598 (CR-2).
- Observations of the tram at 3311 Far View in operation. While in operation, no significant vibrations were felt and no soil, rock or vegetation movement was observed.

The site consists of a steep slope of the Glen Rose limestone extending to Lake Austin. The Glen Rose consists of alternating hard to soft limestone which is generally stable at the slopes found at this site and no major slope instability is anticipated. The lower reaches of the site are likely composed of alluvium, however, the proposed tram construction is planned to stop short of this zone. It should be noted that the geologic conditions for the proposed site is similar to those at 3307, 3311 and 3319 Far View Drive which had trams of similar construction installed by Austin Dock & Tram.

The bearing capacity for footings established a minimum of 1.5 feet into intact limestone will be 6,000 PSF for end bearing and 750 PSF for side friction computed over the penetration depth (ignoring the first foot). The intact portion of the Glen Rose is capable of supporting much higher loads than these and therefore these recommendations are considered conservative and sufficient for the lightly loaded footings anticipated as a result of the tram. If less than 2 feet of soil is encountered then the footings should be established in the rock. Where rock is not encountered, the footings can be established in the soil using an allowable end bearing value of 2,500 PSF and an allowable skin friction (excluding upper foot) of 500 PSF per foot of depth.

The proposed installation techniques and equipment were discussed with Mr. Engelhardt of Austin Dock & Tram. To penetrate the soil overlying the rock, an impact driver (similar to one used for fence post installation) will be used. Where penetration into rock is required, a tungsten carbide tipped non-impact drill to advance into the rock will be used. Penetration into the rock should not be done by impact hammering and no significant impact forces should be placed on the surface of the rock after driving through soil. Pipe footings in drilled rock holes should be grouted into the rock using a cementitious grout. Footing holes should not be drilled into the limestone rock if an obvious fracture exists running through the proposed drill location.

Conclusions:

1. The proposed tram footing installation techniques and equipment discussed above will not cause splitting or damage to the Glen Rose formation or to the Canyon Rimrock (other than the placement of holes for the footings).
2. Based on observations of the tram at 3311 Far View, the proposed tram will not cause vibrations sufficient to damage the rock or move soil.

Sincerely,

MLAW
FORENSICS, INC.
Texas Registered Engineering Firm F-15955



Dean R. Read, P.E.

